

REMARKS

The application has been amended to place the application in condition for allowance at the time of the next Official Action.

The independent claims 1, 13 and 18 are amended to overcome the combination of references applied in the outstanding Official Action.

Claims 1, 6-9, 13, 15, 16 and 18 were rejected as unpatentable over POPA 6,006,231 in view of JOHNSON 6,615,213. That rejection is respectfully traversed.

The independent claims as amended herewith recite that the user terminals 1) store display style information which is determined by a display function of the user terminal and specify a display style of a file to be distributed from the server and, 2) transmit the display style information to the server upon first accessing the server.

It is clear that the display style information in the present invention is determined by a display function of the user terminal because according to the present specification, 1) a file is delivered in a display style in accordance with a display function of terminals (see page 12, lines 4-8), 2) information at higher levels (high resolution, 3D-graphics and the like) can be delivered corresponding to graphic functional levels of the receiving terminals (see page 12, lines 9-13), and the present

invention enables information at higher levels to be delivered by progress of receiving terminals (see page 12, lines 9-10).

As the style information in the present invention is determined in such a manner, the style information can be standardized exemplary by terminal vendors, and stored previously (page 11, lines 3-6), for example before the product shipment to a user for transmitting the display style information to the server upon first accessing the server. This enables all persons to equally obtain information (see page 12, line 3) without obliging them to specify a particular display style for a particular user terminal, in other words without requiring the users to perform excessive operations (page 11, lines 21-22) and information at higher levels to be delivered automatically in accordance to a progress of receiving terminals (page 12, line 9-10).

It is difficult for a user to input or select the style information determined by the display function of the style determined by the terminal, and, by virtue of the present invention, no longer necessary.

By contrast, POPA fails to disclose display style information which is determined by a display function of the user terminal. POPA's disclosure enables an end user to select the image file, size, resolution and color (col. 5, lines 59-61) to increases the speed of browsing and downloading images by up to

400%.....and drastically reduce storage requirement of image files (col. 2, lines 28-35).

Consequently, in POPA, none of the image file, size, resolution and color can be display style information which is determined by a display function of the user terminal, but rather each is output information based on a user selection. However, as mentioned above, one benefit of the present invention is to make such a user selection unnecessary. POPA's disclosure, involving a mandatory user selection, does not suggest the present invention, but rather teaches away it. Additionally, the client/server relationship in POPA fails to disclose client storing display style information in a memory before first accessing the server.

JOHNSON also fails to disclose display style information which is determined by a display function of the user terminal. In JOHNSON, user information, such as name, address and signature are selected by a user (Figure 4). Display style information cannot be determined by a display function of the user terminal but rather is output based on a user selection. As mentioned above, an effect of the present invention is to make such a user selection unnecessary. JOHNSON's disclosure where a user selection is essential, likewise does not suggest the present invention, but rather teaches away it.

Thus, as neither POPA nor JOHNSON discloses or suggests the above-discussed feature element of the present claims, the

combination of these two references does not meet the invention as claimed.

The final rejection argues at p. 7, lines 2-4 that "[t]he type of display style preferred by a Popa user would be suggested as a preference value to maintain along with user identity in Johnson." That argument appears to misunderstand that the display style information of the present invention is determined by a display function of the user terminal. In any event, the claims as amended are believed to prevent such unintended construction, and are thereby further distinct from the applied prior art.

At Item 3 of the Official Action, the dependent claims 2, 4 and 14 were rejected as unpatentable over POPA in view of JOHNSON and further in view of OVADYA et al. 2001/0009008. That rejection is also respectfully traversed.


The OVADYA reference is cited merely for a disclosure of a customer identification number. However, OVADYA does not cure the more fundamental shortcomings of the proposed combination of POPA in view of JOHNSON, as set forth above. Therefore, claims 2, 4 and 14 are also believed to be allowable at least by virtue of their dependency from allowable independent claims.

In view of the present amendment and the foregoing remarks, it is believed that the present application has been placed in condition for allowance. Reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

YOUNG & THOMPSON

 #17,355

Andrew J. Patch, Reg. No. 32,925
745 South 23rd Street
Arlington, VA 22202
Telephone (703) 521-2297
Telefax (703) 685-0573
(703) 979-4709

AJP/lk